

United States District Court

WESTERN DISTRICT OF WASHINGTON

ALBERT T. DAVIDSON

JUDGMENT IN A CIVIL CASE

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

CASE NUMBER: C09-5482BHS

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation;

The Court **REVERSES** the Administrative Law Judge's (ALJ) decision because the ALJ improperly evaluated the medical opinions presented and thereby erred in evaluating the Plaintiff's credibility, the lay witness evidence, Plaintiff's residual functional capacity, and reliance on the vocational expert testimony; and

The Court **REMANDS** this matter to the Social Security Commissioner for further administrative proceedings in accordance with the Report and Recommendation.

June 16, 2010
Date

BRUCE RIFKIN
Clerk

s/CM Gonzalez
Deputy Clerk